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8 Attorneys for Defendant  
9 COUNTY OF SANTA CLARA

10 UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 (San Jose)

13 TOM TSE and ANNE CAN, on behalf of  
14 themselves and others similarly situated,

15 Plaintiffs,

16 v.

17 COUNTY OF SANTA CLARA, and DOES 1-  
18 25, inclusive,

19 Defendants.

No. CV11-04458 EJD

**NOTICE OF CONDITIONAL  
SETTLEMENT, STIPULATION TO  
VACATE CASE MANAGEMENT ORDER,  
AND ~~PROPOSED~~ ORDER VACATING  
CASE MANAGEMENT ORDER**

20 On May 8, 2012, the parties reached a conditional settlement in which Plaintiffs Tom Tse  
21 and Anne Can agreed to an abatement plan for their property and will dismiss this action with  
22 prejudice after County staff approves the final grading work and issues a Final Certificate of  
23 Occupancy. The parties further agreed that the conditions of the settlement will be resolved no later  
24 than September 30, 2012.

25 The parties hereby stipulate that the Court's January 31, 2012 Case Management Order  
26 should be vacated, and a further Case Management Conference held if the parties fail to file a  
27 Stipulation of Dismissal before September 30, 2012.

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1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
2 “conformed” signature (/S/) within this efiled document.

3 MIGUEL MÁRQUEZ  
4 COUNTY COUNSEL

5 Dated: May 11, 2012

By: /S/  
6 MELISSA R. KINIYALOCES  
Deputy County Counsel

7 Attorneys for Defendant  
8 COUNTY OF SANTA CLARA

9 PIERCE & SHEARER LLP

10 Dated: May 11, 2012

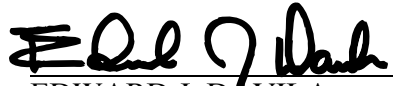
By: /S/  
11 SCOTT A. BERMAN, Esq.

12 Attorneys for Plaintiffs  
13 TOM TSE and ANNE CAN

14  
15 **ORDER**

16 The January 31, 2012 Case Management Order is vacated. The parties are to appear for a  
17 further Case Management Conference on October 5, 2012. The October 5, 2012 Case Management  
18 Conference will be vacated if the parties file a Stipulation of Dismissal before September 30, 2012.

19  
20 Dated: May 14, 2012

  
21 EDWARD J. DAVILA  
United States District Court Judge